

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CWP No. 25161 of 2021 (O&M)
Date of Decision:26.05.2022**

Gram Panchayat village Ghahi Majra

---Petitioner

versus

State of Punjab and others

---Respondents

**CORAM: *HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH*
*HON'BLE MR. JUSTICE SANDEEP MOUDGIL***

Present: Mr. Arvind Mittal, Advocate,
for the petitioner

Mr. S.P.S.Tinna, Addl. A.G., Punjab

AUGUSTINE GEORGE MASIH, J.(ORAL)

CM No. 8392 of 2022

This is an application for permission to place on record the true translated copies as well as exemption from filing the certified copies of Annexure P-4 to P-6.

Allowed as prayed for.

Documents Annexures P-4 (Missal Hakiyat), P-5 (Khatoni Pamaish) and P-6 (Register of proceedings) are taken on record, subject to all just exceptions.

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Learned State counsel has produced receipt dated 26.05.2022 indicating deposit of Rs. 10,000/- as costs as has been imposed by this Court vide order dated 24.03.2022.

Affidavit of Preeti Yadav, Deputy Commissioner, Rupnagar, respondent No. 2 in compliance with the order referred to above, has been filed in Court. Alongwith the said affidavit, Report of the District

Development and Panchayat Officer, Rupnagar dated 16.05.2022 (Annexure R-1) has also been filed. The said report has been disputed by the counsel for the petitioner by asserting that the same is vague and not taking into consideration the factual aspects which includes the aspect of the date of the sale of the plot in question. It is also stated in the report that it would not be possible to determine as to physical possession of which portion of the plot was handed over to the allottee.

His assertion is that prior to the period of 20 years having been expired from the date of allotment of the plot, the same has been sold by the allottee and therefore, the allotment itself needs to be cancelled. This aspect, being a question which has to be determined on the basis of the record and the evidence, is not to be gone into by the writ Court. The petitioner may avail of its appropriate remedy, if so advised, in accordance with law.

The writ petition stands disposed with the above observations.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(SANDEEP MOUDGIL)
JUDGE**

26.05.2022
PARAMJIT

Whether speaking/reasoned: Yes

Whether reportable : No